

**CITY OF KINGMAN
MEETING OF THE COMMON COUNCIL
Council Chambers
310 N. 4th Street**

6:00 P.M.

AGENDA

Monday, December 7, 2009

REGULAR MEETING

CALL TO ORDER & ROLL CALL

INVOCATION will be given by Pastor Mark Rice, Journey Church

PLEDGE OF ALLEGIANCE

THE COUNCIL MAY GO INTO EXECUTIVE SESSION FOR LEGAL COUNSEL IN ACCORDANCE WITH A.R.S.38-431.03(A) 3 TO DISCUSS ANY AGENDA ITEM. THE FOLLOWING ITEMS MAY BE DISCUSSED, CONSIDERED AND DECISIONS MADE RELATING THERETO:

1. APPROVAL OF MINUTES

The Regular Meeting minutes of November 16, 2009. **MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0**

2. APPOINTMENTS

a. Planning and Zoning Commission

On December 31, 2009 the terms of Commissioners Dorian Trahan and Bill Lacy will expire. Commissioner Trahan is not seeking another term. Commissioner Lacy is eligible for another term and desires to continue to serve. **The Planning and Zoning Commission recommended that Commissioner Lacy be reappointed and that the City Council select one of the six following candidates to the commission:**

| | |
|-------------------|--------------------|
| Bill Delmar | Kathleen O. Murray |
| Daniel Del Monaco | Harley Pettit |
| Vance Miller | Craig Schritter |

MOTION TO REAPPOINT BILL LACY WAS PASSED BY A VOTE OF 7-0. MOTION TO APPOINT CRAIG SCHRITTER WAS PASSED BY A VOTE OF 7-0

b. Parks and Recreation Commission

On December 31, 2009 the terms of Commissioners David Allen, Tom Peeler, and Brent Potter will expire. Commissioner Allen is not seeking another term. Commissioner Peeler and Potter desire to serve another term. Commissioner Peeler is requesting a third term so his appointment will require a supermajority vote of the council. **The Parks and Recreation Commission recommended that Brent Potter and Tom Peeler be reappointed and Monica Busch be appointed to replace Commissioner Allen. MOTION TO REAPPOINT TOM PEELER WAS PASSED BY A VOTE OF 7-0. MOTION TO REAPPOINT BRENT POTTER AND APPOINT MONICA BUSCH WAS PASSED BY A VOTE OF 7-0**

c. Historical Preservation Commission

The Historical Preservation Commission currently has three openings after two member resignations and one member term has expired. **The Historical Preservation Commission recommended that Tedi Ronchetti-Kinkella be appointed to finish the term of Douglas Ohlemann to expire on December 31, 2010, Carol Decker-Noli to finish the term of John Dilatush to expire on December 31, 2011, and D'Arcy Wagner whose term will expire on December 31, 2012. MOTION TO APPOINT TEDI RONCHETTI-KINKELLA, CAROL DECKER-NOLI AND D'ARCY WAGNER WAS PASSED BY A VOTE OF 7-0**

d. Golf Course Advisory Commission

The Golf Course Advisory Commission has three openings, two who have expired and would like to be reappointed and one who has expired and does not want to be reappointed. **The Golf Course Advisory Commission recommended Donald Greenwald for reappointment to a second term, Robert Wyman for reappointment to a third term which will require a supermajority vote of the council, and Everett Jackson to replace Virginia Nelson. MOTION TO REAPPOINT ROBERT WYMAN WAS APPROVED BY A VOTE OF 7-0. MOTION TO REAPPOINT DONALD GREENWALD AND TO APPOINT EVERETT JACKSON WAS PASSED BY A VOTE OF 7-0**

e. Clean City Commission

There are currently three vacancies on the Clean City Commission (CCC). Two expire in 2010 and one in 2011. There are also three commissioners that expire on December 31, 2009. They are Cindy Burden, Chuck Gibson, and Nancy McBride. All three have expressed a desire to serve another term which would expire in 2012. At their meeting in November, the CCC reviewed two applications from George Francuski and Mike Rumsey. **The CCC recommended Cindy Burden, Chuck Gibson, and Nancy McBride be reappointed to a second term. They also recommended that Mike Rumsey be appointed to fill one of the vacancies that expires in 2010. MOTION TO REAPPOINT CINDY BURDEN, CHUCK GIBSON, NANCY MCBRIDE AND TO APPOINT MIKE RUMSEY WAS PASSED BY A VOTE OF 7-0**

f. Economic and Tourism Development Commission

The terms of Kari Jo Hill and Krystal Burge are expiring on December 31, 2009. Commissioner Hill is not seeking another term. Commissioner Burge would like to serve another term. This will be her third term so it will require a supermajority vote of the council. The Economic and Tourism Development Commission (ETDC) received applications from Monica Busch, Thomas Clark, William Herring, Debra Sixta, Michael McClure, and Cat Van Kampen. **After discussion, ETDC recommended the Council reappoint Krystal Burge to a third term by a supermajority vote and appoint Tom Clark to a first term. MOTION TO REAPPOINT KRYSTAL BURGE WAS PASSED BY A VOTE OF 7-0. MOTION TO APPOINT DEBRA SIXTA WAS PASSED BY A VOTE OF 6-1 WITH COUNCILMEMBER DEERING VOTING NAY**

3. CALL TO THE PUBLIC - COMMENTS FROM THE PUBLIC

Those wishing to address the Council should fill out request forms in advance. Action taken as a result of public comments will be limited to directing staff to study the matter or rescheduling the matter for consideration and decision at a later time. Comments should be limited to no longer than 3 minutes.

4. CONSENT AGENDA

All matters listed here are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the CONSENT AGENDA and will be considered separately.

a. Offer of Dedication of Property for a One Foot Non-Vehicular Access the Length of the property

The Council is asked to accept an offer of dedication from Cerbat Vista, LLC, property owner, for certain property located along Airway. The property owner has submitted a request to rezone property located north of Airway, south/southwest of Rimel Road, and east of Jewel Street. Staff recommended a condition for approval of the rezone was for the applicant to grant the City a one foot non-vehicular access the length of the subject property along Airway. The applicant has agreed to the condition. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0**

b. Amendment 4 to Brown and Caldwell Agreement for Engineering Services Related to the Planning and Upgrade of the Downtown Wastewater Treatment Plant, Engineering Project ENG07-040.

The original agreement with Brown & Caldwell was approved in July of 2008 and included a design concept/feasibility alternative study for the Downtown Wastewater Treatment Plant. The 2.5 million WIFA design loan for the downtown sewer plant is scheduled to close on December 4, 2009. Brown & Caldwell is ready to proceed with Amendment No. 4 which includes preparing required permits to ADEQ and preparation of 30, 60, 90 percent and final plans. The cost for the scope of this service is \$1,980,576 and will be from the WIFA design loan. **Staff is recommending approval and that the Mayor be authorized to sign on behalf of the City. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0**

c. Resolution No. 4650 – Water Service to Unsubdivided Parcel #320-13-050 for the Mohave Community College Foundation

The Municipal Utility Commission (MUC) reviewed a request from the Mohave Community College Foundation for water service to an unsubdivided parcel #320-13-050. This site is accessed from Detroit Avenue and is located just west of the Safeway Shopping Plaza. This is located inside the City limits and within the water service boundary area. MUC voted to recommend approval with the following conditions: (1) that the water and sewer mains be designed and extended in accordance with the Utility Regulations, (2) that fire hydrants be installed at locations approved by the Fire Department, and (3) that a public utility easement be provided for the onsite public lines. **Staff recommends approval of Resolution No. 4650. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0**

d. Resolution No. 4648 – Final Release of the Cash Escrow Assurance for Hualapai Mountain Medical Center Subdivision

Mohave Engineering, agent for the owner, is requesting the final release of the cash escrow assurances for Hualapai Mountain Medical Center subdivision, Tract 6038. This subdivision is located north of Santa Rosa and adjoins Kingman Crossing Boulevard. After inspection by the City Engineer, City Fire Marshall, and Public Works, there is no know objection to the final release of the cash assurances and acceptance of the improvements, including water, sewer and streets into the City maintenance system. **Staff recommends approval of the final release of the cash assurance, in**

the amount of \$91,660 and acceptance of the improvements. MOTION TO APPROVE WAS PASSED BY A VOTE OF 6-0 WITH COUNCILMEMBER WALKER ABSTAINING

VICE MAYOR WATSON LEFT THE MEETING DUE TO ILLNESS

5. OLD BUSINESS

Public Hearing – Ordinance No. 1671, an Amendment to Section 25.000 SIGN CODE of the Zoning Ordinance to Allow Greater Latitudes for Temporary Signs

On July 20, 2009, the City Council received input from local business people concerning the enforcement of the relaxed temporary sign regulations. The Council directed staff to meet with the business people who attended the meeting and determine what changes the group wanted. A committee consisting of Louis Collins--Aaction Automotive; Renai Hill--66 Auto Sales; Hank Nolte--Cliff Findlay Auto Center; Eugene Hahn--Realty Executives Kingman; Martin and Cody Swanty--Martin Swanty Chrysler Dodge Jeep; Beverly Liles--Chamber of Commerce; and Brian Harris--Don's Office Supply met on August 7th, 14th and 21st. The Committee recommended regulations that the City Council initiated on September 8th. The Planning and Zoning Commission held its public hearing on October 10th and tabled action so a subcommittee of the P&Z Commission could meet with the Sign Committee. This group met on October 23rd and reached a general consensus to make some modifications to the proposed on-premises sign amendments. The group also recommended separating the on-premises and off-premise signage amendments and addressing the off-premises sign regulations at a later date. Staff continues to be concerned with aesthetics, sign clutter, and the ability of motorists to be able to safely read the amount of signage the sign code allows. Staff is particularly concerned with the proposed off-premise signs allowance. Staff is providing two drafts of Ordinance No. 1671. The first draft is as the Council has initiated, which has both the on-premises and off-premises sign regulation amendments and elimination of the prohibition of "A-Frame" signs. The second draft is the Planning and Zoning Commission's recommendation, which is only the on-premises sign amendments and does not contain the removal of the "A-Frame" prohibition. **If an amendment is adopted, staff recommends the Planning and Zoning Commission's recommendation. MOTION TO APPROVE ORDINANCE NO. 1671 WITH DRAFT #2 BUT INCLUDE A FRAME SIGNS FOR ON PREMISES WAS PASSED BY A VOTE OF 6-0 WITH VICE MAYOR WATSON BEING ABSENT**

6. NEW BUSINESS

a. Public Hearing – Resolution No. 4649, to Approve a Conditional Use Permit (CUP) to Allow Church Services within Manzanita Elementary located at 2601 Detroit Avenue.

A request from Pastor Mark Rice, applicant, and Kingman Unified School District #20, property owner, for a conditional use permit (CUP) to allow church services on Sundays within Manzanita Elementary School. The property is located at 2601 Detroit and is zoned R-1-6, residential, single family, 6,000 square foot lot minimum which allows churches by CUP. Staff reviewed the request and has found that it complies with the requirements. However, staff has recommended that all vehicular parking associated with the church use be required to occur on available paved parking areas, rather than on the gravel parking area west of the gymnasium. Staff recommends that the gravel parking area may be used for overflow parking only. **The Planning and Zoning Commission recommends approval of the CUP with the staff recommended condition concerning parking. The Commission approved the request by a vote of 6-1. MOTION TO APPROVE WAS PASSED BY A VOTE OF 6-0 WITH VICE MAYOR WATSON BEING ABSENT**

b. Public Hearing – Ordinance No. 1670, to Rezone 27,984 Square Feet from R-1-6 Residential, Single Family, 6,000 Square Foot Lot Minimum to C-1 Commercial: Neighborhood Convenience

A request from Cerbat Vista, LLC, applicant and property owner, for the rezoning of certain property from R-1-6 to C-1. The rezoning, if approved, would allow for the commercial development of the subject property. The applicant does not have a specific plan for the property. If approved, all C-1 uses would be allowed. C-1 commercial uses are low intensity and designed to be situated within and around neighborhoods. The general plan designation for the subject site is Medium Density Residential, 3-8 dwelling units per acre. However, Minor General Plan Amendments are not required for property less than two acres. The property abuts Airway Avenue and Rimel Road. The Planning and Zoning Commission recommended approval by a 7-0 vote. **Staff recommends approval with the condition that: Prior to the rezone taking effect, the applicant will grant the City a one foot non-vehicular access the length of the subject property along Airway. MOTION TO APPROVE WAS PASSED BY A VOTE OF 6-0 WITH VICE MAYOR WATSON BEING ABSENT.**

7. ANNOUNCEMENTS BY MAYOR, COUNCIL MEMBERS, CITY MANAGER

If needed

ADJOURNMENT

Posted_____by_____